United Nations A/60/131

General Assembly

Distr.: General
25 July 2005

Original: English

Sixtieth session
Item 107 of the provisional agenda*
Crime prevention and criminal justice

Strengthening the United Nations Crime Prevention and Criminal Justice Programme, in particular its technical cooperation capacity

Report of the Secretary-General

Summary

The present report highlights the work undertaken in the context of the United Nations Crime Prevention and Criminal Justice Programme in the period under review, including the holding of the Eleventh United Nations Congress on Crime Prevention and Criminal Justice, the entry into force of the United Nations Convention against Transnational Organized Crime and its three Protocols and efforts to promote the entry into force of the United Nations Convention against Corruption. It also highlights the technical cooperation activities of the Programme in providing assistance to States to respond more effectively to the challenges posed by transnational crime, trafficking in human beings, corruption and terrorism and to reinforce their institutional machinery for the maintenance of the rule of law. Lastly, it reviews major initiatives related to implementation of crime prevention and criminal justice standards and norms, research and dissemination of information, coordination and mobilization of resources.

* A/60/150.

V.05-86693 (E) 030805 040805

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I. Introduction

1. The present report, submitted pursuant to General Assembly resolution 59/159 of 20 December 2004, focuses on the various features of the work of the United Nations Crime Prevention and Criminal Justice Programme of the United Nations Office on Drugs and Crime in assisting Member States in their efforts to counter the threats of transnational organized crime, corruption, terrorism, trafficking in human beings and other criminal activities while maintaining full respect for the rule of law. It also highlights the main developments during the period under review, updating information contained in the report of the Executive Director on the work of the United Nations Office on Drugs and Crime, entitled "Development, security and justice for all" (E/CN.7/2005/6-E/CN.15/2005/2).

II. Role of the Commission on Crime Prevention and Criminal Justice

2. At its fourteenth session, held in Vienna from 23 to 27 May 2005, the Commission on Crime Prevention and Criminal Justice provided further policy guidance and direction to the Office.[1] Pursuant to Economic and Social Council decision 2004/242 of 21 July 2004, the Commission held a discussion on the theme "Conclusions and recommendations of the Eleventh United Nations Congress on Crime Prevention and Criminal Justice". The Commission emphasized that the crime congresses represented a unique opportunity to bring together, every five years, the entire criminal justice community, including high-level officials, experts and practitioners, as well as the media and intergovernmental and non-governmental organizations. The Eleventh Crime Congress, held in Bangkok from 18 to 25 April 2005, had taken place at an opportune time, allowing the international community to exchange expertise and views on how best to deal with new challenges posed by all forms of crime. This was especially the case in view of the interconnected nature of criminal activities and their serious impact on security, stability and development, as highlighted in the report of the High-level Panel on Threats, Challenges and Change entitled "A more secure world: our shared responsibility" (A/59/565 and Corr.1) and in the report of the Secretary-General entitled "In larger freedom: towards development, security and human rights for all" (A/59/2005). The Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice[2] adopted by the Congress, was a crucial political document laying the foundation for and showing the direction towards strengthening international coordination and cooperation efforts to prevent and combat crime. The Commission also discussed issues relating to international cooperation in the prevention and control of transnational organized crime, including trafficking in persons, corruption, fraud and trafficking in protected species of wild flora and fauna; the strengthening of international cooperation and technical assistance in preventing and combating terrorism; and the use and application of United Nations standards and norms in crime prevention and criminal justice. It recommended six draft resolutions for adoption by the General Assembly and four draft resolutions and three draft decisions for adoption by the Economic and Social Council.

III. Eleventh United Nations Congress on Crime Prevention and Criminal Justice

3. Details on the Eleventh Crime Congress are contained in a separate report of the Secretary-General to the General Assembly at its sixtieth session (not yet issued) and in the report of the Congress (A/CONF.203/18). At its fourteenth session, the Commission recommended for adoption by the General Assembly a draft resolution entitled "Eleventh United Nations Congress on Crime Prevention and Criminal Justice".[3]

IV. United Nations Convention against Transnational Organized Crime and the Protocols thereto

4. The entry into force, on 3 July 2005, of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime (General Assembly resolution 55/255, annex) constituted a major milestone. As at 25 July 2005, there were 107 States parties to the Organized Crime Convention (Assembly resolution 55/25, annex), 86 States parties to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention (Assembly resolution 55/25, annex II), 77 States parties to the Protocol against Smuggling of Migrants by Land, Sea and Air, supplementing the Convention (Assembly resolution 55/25, annex III) and 43 States parties to the Firearms Protocol.

5. A special treaty event was organized by the United Nations Office on Drugs and Crime, in close cooperation with the Office of Legal Affairs of the Secretariat, during the high-level segment of the Eleventh Crime Congress. The special treaty event generated two accessions to the Organized Crime Convention, two accessions to the Trafficking in Persons Protocol, two accessions to and one ratification of the Migrants Protocol and one accession to the Firearms Protocol. Given that the Organized Crime Convention and its Protocols are included in the annual treaty event for 2005, "Focus 2005: responding to global challenges", further ratifications and accessions are expected.

6. The report of the High-level Panel on Threats, Challenges and Change identified transnational organized crime as one of the six major threats with which the world must be concerned. Transnational organized crime poses a direct threat to human security and the rule of law and the Panel underlined that organized crime increased the risk of all the other threats by creating opportunities for "uncivil" society. It was further noted that a key trend with respect to transnational organized crime was its growing diversity, flexibility, low visibility and longevity. Based on those observations, the High-level Panel made the following recommendations:

(a) Member States that have not signed, ratified or resourced the Organized Crime Convention and its three Protocols and the United Nations Convention against Corruption (General Assembly resolution 58/4, annex) should do so and all Member States should support the United Nations Office on Drugs and Crime in its work in that area (A/59/565 and Corr.1, para. 172);

(b) Member States should establish a central authority to facilitate exchange of evidence among national judicial authorities, mutual legal assistance among prosecutorial authorities and implementation of requests for extradition (para. 173);

(c) A comprehensive international convention on money-laundering that addresses the issues of bank secrecy and the development of financial havens needs to be negotiated and endorsed by the General Assembly (para. 174);

(d) Member States should sign and ratify the Trafficking in Persons Protocol and parties to the Protocol should take all necessary steps to effectively implement it (para. 175);

(e) The United Nations should establish a robust capacity-building mechanism for rule-of-law assistance (para. 177).

7. During the period under review, the United Nations Office on Drugs and Crime provided assistance to Member States in preventing and combating transnational organized crime. The Office organized and participated in regional and subregional meetings to promote ratification and implementation of the Organized Crime Convention and its Protocols, as well as the universal conventions and protocols against terrorism. The Office organized or participated in a total of 22 interregional, regional and subregional meetings involving 141 States, including the following:

(a) Regional ministerial conference of French-speaking countries of Africa for the ratification and implementation of the universal instruments against terrorism, the Organized Crime Convention and the Convention against Corruption, organized jointly by the Office, the Intergovernmental Agency of la Francophonie and the Government of Mauritius, in Port Louis in October 2004;

(b) Study tour for criminal justice experts from Portuguese-speaking countries on the ratification and implementation of the conventions and protocols relating to transnational organized crime, corruption and terrorism, organized jointly by the Office and the Government of Portugal, November 2004);

(c) Regional training workshop for the States members of the Organization of the Islamic Conference of the Arab region, 25 November-1 December 2004;

(d) Regional expert workshop on the ratification and implementation of the universal instruments against terrorism, transnational organized crime and corruption and on drafting of reports to the Counter-Terrorism Committee of the Security Council, organized jointly by the Office with the Government of Cape Verde, December 2004;

(e) Regional expert workshop on international cooperation on counter-terrorism, corruption and the fight against transnational organized crime, for Central and South-eastern European States, organized jointly by the Office with the Government of Croatia, March 2005.

8. The Office also provided technical assistance to a number of States. Legislative assistance was provided to Afghanistan, Brazil, the Congo, the Gambia, Guinea, Morocco and Togo in 2004 and to Burkina Faso, Djibouti, Ethiopia, the Philippines, Sierra Leone and Thailand in 2005. As at 21 June 2005, the Office had provided individual assistance to 55 States.

9. The Conference of the Parties to the United Nations Convention against Transnational Organized Crime and the Protocols thereto will hold its second session in Vienna from 10 to 21 October 2005 and will embark on a substantive review of the implementation of the Convention and its Protocols based on the decisions taken at its first session.[4] The Conference is expected to provide guidance on a strategy for the ratification and implementation of the Convention and its Protocols.

10. The attention of the General Assembly is drawn to the draft resolutions recommended for its adoption by the Commission, through the Economic and Social Council, on the "Model bilateral agreement on the sharing of confiscated proceeds of crime or property covered by the United Nations Convention against Transnational Organized Crime and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988", "Action against transnational organized crime: protection of witnesses" and "International cooperation in the fight against transnational organized crime".[5]

V. United Nations Convention against Corruption

11. As at 25 July 2005, 124 States had signed the United Nations Convention against Corruption and 29 States had ratified it. On the basis of article 68, the Convention will enter into force on the ninetieth day after the date of deposit of the thirtieth instrument of ratification, acceptance, approval or accession. It is therefore likely that the Convention will enter into force by the end of 2005.

12. The United Nations Office on Drugs and Crime has started to implement a set of activities to promote the ratification of the Convention and its early entry into force. The Office, in cooperation with the United Nations Interregional Crime and Justice Research Institute, has begun developing a legislative guide for the ratification and implementation of the Convention. A draft of the legislative guide was circulated for comments at the Eleventh Crime Congress and at the Commission on Crime Prevention and Criminal Justice at its fourteenth session. The draft is expected to be finalized during the third quarter of 2005 for subsequent publication in the six official languages of the United Nations.

13. The Office has also organized or participated in the following seminars to promote the ratification of the Convention:

(a) Training workshop for national officials, Morocco, October 2004;

(b) High-level Caribbean regional workshop on corruption, organized by the United Nations Development Programme (UNDP), Antigua, November 2004;

(c) National workshop on corruption, Cambodia, June 2005;

(d) National pre-ratification seminar, organized jointly by the Office and the Ministry of Justice of Egypt and in cooperation with the Government of France, Egypt, June 2005. Additional regional pre-ratification seminars are planned and will provide forums to exchange experience and promote measures for the ratification and implementation of the Convention. Legal assistance was also provided to Cambodia and Kyrgyzstan in reviewing and assessing national anti-corruption legislation.

14. The Office continued cooperating with other entities involved in anti-corruption efforts, in particular with the Asian Development Bank, the Commonwealth Secretariat, the Organization of American States, the Organization for Economic Cooperation and Development and the Organization for Security and Cooperation in Europe. In 2004, the Office became the sixth core agency of the United Nations Global Compact and, together with the Global Compact Office, works with Global Compact participants in promoting the expeditious ratification of the Convention against Corruption and in developing and implementing capacity-building projects for incorporating the Convention into domestic legal systems.

15. The attention of the Assembly is drawn to the draft resolution recommended for its adoption by the Commission through the Economic and Social Council, entitled "Action against corruption: assistance to States in capacity-building with a view to facilitating the entry into force and subsequent implementation of the United Nations Convention against Corruption".[6]

VI. Technical cooperation and operational activities

16. Technical cooperation activities are implemented within the framework of four global programmes (terrorism, corruption, trafficking in human beings and money-laundering), as well as in the areas of combating organized crime and reconstruction of criminal justice systems, justice reform and crime prevention. They are conducted in a fully integrated manner with the activities undertaken in the context of the United Nations Office on Drugs and Crime, especially in areas such as money-laundering, legal assistance and enhancement of international cooperation.

A. Preventing terrorism

17. In pursuance of its mandates in the area of preventing terrorism,[7] the United Nations Office on Drugs and Crime has continued to implement a programme of work centred on providing assistance to Member States, upon request, in ratifying and implementing the 12 universal conventions and protocols against terrorism. A major focus has been delivering assistance to requesting States to incorporate the relevant provisions of the universal conventions and protocols into national legislation and to promote international cooperation in counter-terrorism matters. The work of the Office in these areas contributes to the implementation of the comprehensive strategy against terrorism presented by the Secretary-General in his report entitled "In larger freedom: towards development, security and human rights for all".

18. A separate report on strengthening international cooperation and technical assistance in preventing and combating terrorism is before the General Assembly at its sixtieth session (to be issued), containing detailed information on the technical assistance activities of the Office and the related substantive developments.

19. The technical assistance activities of the Terrorism Prevention Branch of the Office are undertaken in compliance with the decisions and policy guidance of the Counter-Terrorism Committee of the Security Council and in close coordination with the work of the Counter-Terrorism Committee Executive Directorate. Since the

launch of the global project on strengthening the legal regime against terrorism in January 2003, the Office has supported more than 100 States, either directly or through regional initiatives. During the period under review, technical assistance missions were conducted in 22 requesting States and other joint activities were undertaken with several other States. In addition, regional and subregional workshops were conducted in the period under review (see also para. 7, above) for the Central Asian and neighbouring countries, in Uzbekistan in April 2005; for Central and Latin American countries, organized jointly with the Inter-American Committee against Terrorism of the Organization of American States and the Latin American Institute for the Prevention of Crime and Treatment of Offenders, in Costa Rica, in October 2004 and March 2005; for Central and South-eastern European States, in Croatia in March 2005; and for Portuguese-speaking countries and several West African countries, in Cape Verde in December 2004. In addition, a study tour for Portuguese-speaking countries was organized in November 2004 jointly with the Ministry of Justice of Portugal and a regional ministerial conference of French-speaking countries of Africa was held in cooperation with the Intergovernmental Agency of la Francophonie in Mauritius in October 2004.

20. To improve planning and harmonization of the various activities in specific regions, regional activity frameworks are being developed under the global programme against terrorism. Numerous initial activities providing legislative assistance have been completed and the work of the Terrorism Prevention Branch is increasingly being focused on the necessary follow-up measures. Increased presence at the country and subregional levels is being achieved through the placement of experts in the field. An increased number of joint activities have been undertaken with international, regional and subregional organizations, which has helped to maximize impact through operational partnerships.

21. The attention of the General Assembly is drawn to the draft resolution recommended for its adoption by the Commission through the Economic and Social Council, entitled "Strengthening international cooperation and technical assistance in promoting the implementation of the universal conventions and protocols related to terrorism within the framework of the activities of the United Nations Office on Drugs and Crime".[8]

B. Combating organized crime

22. The Office has continued to help countries to improve and strengthen law enforcement and foster international and cross-border cooperation. Training of law enforcement officials, investigators, prosecutors and judges remains a priority. The Office has provided specialized training in modern investigative techniques, developing intelligence that supports operational responses and the use of advanced analysis software. The Office has convened a series of expert group meetings on countering kidnapping, resulting in the drafting of a good practice guide for Member States, to be published at the end of 2005. Another expert group is addressing issues associated with witness protection, which is expected to lead to the publication of a best practice guide in 2006.

23. The Office is working to enhance the capacity of States to investigate, prosecute and adjudicate cases related to organized crime and corruption and to

identify and recover illicit assets. Mentors from the Office are currently working in Guatemala, Peru and Senegal, with also a focus on Ghana, and a further mentor should be placed in Viet Nam in 2005. The mentors implement a programme of technical assistance and training for prosecutors and investigators in the area of organized and serious crime and also provide assistance in legislative reform, as required.

24. The Office has undertaken assessment missions to Armenia, Azerbaijan, Ecuador, Georgia, Ghana, Guatemala and Indonesia and is engaged in reviewing technical assistance needs in the countries covered by its field offices to streamline issues related to combating and preventing organized crime into relevant projects.

C. Combating trafficking in human beings, especially women and children

25. The Office's technical assistance to Member States promotes a comprehensive and multidisciplinary approach in preventing and combating human trafficking, focusing on the criminal justice aspects of trafficking, including victim support and witness protection.

1. Technical assistance

26. Projects are being implemented in Benin, Brazil, Colombia, Lebanon, Nigeria, the Philippines, Poland, the Republic of Moldova, Slovakia, Togo and Viet Nam, as well as for the Economic Community of West African States and the countries of the Southern African Development Community. The projects focus on issues such as assessing trafficking flows, development and implementation of national strategies against trafficking in persons, legal assistance in implementing the Trafficking in Persons Protocol, providing training and capacity-building for law enforcement practitioners and the judiciary, awareness-raising, victim support and increasing cooperation between national and regional partners.

27. The Office is planning additional activities in the following States and regions: Bosnia and Herzegovina, Burkina Faso, Croatia, Ghana, Indonesia, India, Iran (Islamic Republic of), Lao People's Democratic Republic, Mexico and Central America, Mozambique, Myanmar, Niger, the Mekong subregion and the countries of the Southern African Development Community. In cooperation with the Office of the United Nations High Commissioner for Refugees, the United Nations Office on Drugs and Crime is working in Bosnia and Herzegovina and Croatia to provide information to asylum-seekers most at risk of falling prey to human traffickers. The trafficking and smuggling situation in the Middle East and North African region is being assessed and the results will be discussed at a regional conference. Legislative assistance, the development and adoption of a declaration and a plan of action against trafficking in persons and capacity-building are being provided to the States members of the Southern African Development Community.

2. Human trafficking and HIV/AIDS

28. The Office, as a co-sponsor of the Joint United Nations Programme on HIV/AIDS (UNAIDS), is developing a coordinated United Nations system-wide strategy for the prevention of HIV infection among actual and potential victims of

human trafficking and for the care and treatment of HIV-infected trafficked persons. An inter-agency consultative meeting will be held in September 2005, where the strategy will be launched.

D. Promoting anti-corruption policies and measures

29. The Office continued to support efforts to implement the Convention against Corruption. It provided advisory services and technical assistance to more than 20 countries, promoted the celebration of the first International Anti-Corruption Day and undertook the preparation and dissemination of technical publications.

1. Technical assistance

30. Implementation of technical assistance projects continued in Colombia, Indonesia, the Islamic Republic of Iran, Lebanon, Mozambique and South Africa and new projects were launched in Brazil, Kenya, Nigeria and South Africa. Others are under development in Afghanistan, Georgia, Kyrgyzstan, Iraq, the Islamic Republic of Iran, Nigeria and for the Palestinian Authority. These projects focus on preventing and combating corruption, including through the development and benchmarking of comprehensive anti-corruption policies; the strengthening of integrity, accountability and capacity of criminal justice institutions; the promotion of integrity in the public and private sectors; and the prevention of laundering of the proceeds of corruption and the recovery of assets.

2. Policy development and outreach

31. The Office conducted a workshop on measuring and monitoring of corruption and anti-corruption measures, organized jointly with the Center for the Study of Democracy, and launched a joint project with the United Nations Industrial Development Organization (UNIDO) for the promotion of anti-corruption tools to foster small and medium-sized enterprise development, and worked jointly with the United Nations Interregional Crime and Justice Research Institute and UNDP on the elaboration of a manual and electronic library of best practices for the implementation of the Convention against Corruption.

32. The Office, in collaboration with the German Development Agency, is drafting a commentary on the Bangalore Principles of Judicial Conduct (E/CN.4/2003/65, annex), adopted at the Round Table Meeting of Chief Justices, held at The Hague on 25 and 26 November 2002. The Office disseminated a publication entitled *Global Action against Corruption: the Merida Papers* describing experience and good practices that had been presented at the side events held during the High-level Political Conference for the purpose of Signing the United Nations Convention against Corruption. The Office has prepared and disseminated the second, revised edition of the *Compendium of International Legal Instruments against Corruption* and a working paper for the Eleventh Crime Congress on "Corruption: threats and trends in the twenty-first century". Work continued on the *United Nations Handbook on Practical Anti-Corruption Measures for Prosecutors and Investigators*, as well as the draft guide on strengthening judicial integrity and capacity. The Office, with the support of the Department of Economic and Social Affairs of the Secretariat,

prepared and disseminated a French translation of the United Nations Anti-Corruption Toolkit, aimed at civil servants.

33. Pursuant to General Assembly resolution 58/4 of 31 October 2003, the first International Anti-Corruption Day was observed on 9 December 2004, marked by advocacy activities at United Nations Headquarters in New York and the Vienna headquarters and the field offices of the United Nations Office on Drugs and Crime.

3. Inter-agency coordination

34. The Office continued to promote enhanced coordination and cooperation of efforts to combat corruption through the International Group for Anti-Corruption Coordination, composed of more than 20 international and regional organizations. It serviced the sixth and seventh meetings of the Group, which focused on the prevention and control of corruption in international organizations and in emergency disaster relief situations, respectively.

E. Criminal justice reform and maintenance of the rule of law

35. As the custodian of the United Nations standards and norms in crime prevention and criminal justice, the Office has continued to provide assistance aimed at enhancing the quality of criminal justice in general, including through promoting the protection of victims and the humane treatment of offenders.

Technical assistance

36. The Office's technical assistance activities have focused on improving prison conditions and the treatment of prisoners, victim support, with a particular focus on vulnerable groups, urban security and crime prevention, and criminal justice reform in the context of post-conflict peacebuilding initiatives. Several assessment missions were undertaken during the period under review, including detailed needs assessments in the Caucasus and Iraq to determine project implementation modalities and develop further projects.

37. At its fourteenth session, the Commission recommended for adoption by the Economic and Social Council a resolution entitled "Strengthening the technical cooperation capacity of the United Nations Crime Prevention and Criminal Justice Programme in the area of the rule of law and criminal justice reform".[9]

(a) Penal reform

38. The Office supports implementation of an extensive penal reform programme in Afghanistan, focused on improving prison conditions, which has now expanded outside Kabul to those provinces where prison conditions remain an issue of concern. A project to assist the prison reform process in the Islamic Republic of Iran will include training of prison staff and strengthening of cooperation with international organizations and non-governmental organizations for the implementation of good practices. Assessment missions were conducted in Ethiopia and Georgia, where project development is under way.

39. An expert group meeting on providing effective responses to HIV/AIDS in prison facilities was held in February 2005. Through the United Nations System Chief Executives Board, a study was conducted on the extent of HIV/AIDS in prisons around the globe. Currently, a toolkit and training course for prison officials on effective responses to the spread of HIV/AIDS in prison facilities is being developed and will be piloted in several countries.

(b) Juvenile justice and children in conflict with the law

40. The Office is implementing projects in the area of juvenile justice and children in conflict with the law in Afghanistan, Egypt, Jordan and Lebanon. The projects focus on issues such as the situation of girls in closed institutions, setting up youth care services and reintegration programmes, strengthening institutions responsible for criminal justice responses for children and juveniles and improving the conditions under which juveniles and children are incarcerated. An additional project on supporting the establishment of juvenile courts in Jordan has also recently received funding. Further activities in this area are under preparation. In Colombia, in collaboration with the United Nations Children's Fund, the United Nations Office on Drugs and Crime is carrying out an extensive study on the juvenile justice sector in order to develop a programme of technical assistance. An assessment mission to the Palestinian Authority was conducted in July 2005 and a project on supporting reform in the area of juvenile justice is being developed.

41. The Office is the current chair of the United Nations Coordination Panel on Technical Advice and Assistance in Juvenile Justice, established pursuant to Economic and Social Council resolution 1997/30 of 21 July 1997. The Office contributed to the Panel's recently published practical review of the experience of United Nations agencies and non-governmental organizations in project implementation in the area of juvenile justice and children in conflict with the law, entitled *Protecting the Rights of Children in Conflict with the Law*. The Office is coordinating the fifth meeting of the Panel, to be held in Vienna in September 2005 on the theme of juvenile justice reform in societies emerging from conflict.

42. Pursuant to General Assembly resolution 57/190 of 18 December 2002, the Secretary-General has initiated an in-depth study of violence against children. The Office is actively involved in the aspects of the study relating to crime, juvenile justice, trafficking in children, child victims and related issues.

(c) Victim support

43. Activities in the area of victim support have continued to expand, with a particular focus on preventing and responding to violence against women. In Africa, an ongoing project has established support centres for women victims of violence in two South African provinces, providing services for the victims and survivors of violence. In addition, a global project to promote practical victim support initiatives assists non-governmental support structures, targeting the needs of victims of violent crime and funding 19 projects in nine developing countries and countries with economies in transition.[10]

44. In May 2005, the Office co-sponsored with the Division for the Advancement of Women of the Secretariat an expert group meeting on good practices in combating and eliminating violence against women, pursuant to General Assembly

resolution 58/185 of 22 December 2003 requesting the Secretary-General to conduct an in-depth study on all forms and manifestations of violence against women.

(d) Crime prevention and urban crime

45. The Eleventh Crime Congress addressed the issue of crime prevention and urban crime. At its fourteenth session, the Commission recommended for adoption by the Economic and Social Council a resolution entitled "Action to promote effective crime prevention", which invites Member States, relevant United Nations entities and programmes and other intergovernmental and non-governmental organizations to support a more integrated approach to building capacity in crime prevention and criminal justice.[11]

46. Current activities carried out by the Office to prevent urban crime include inter-agency partnerships for safer *favelas* in Rio de Janeiro, Brazil, and south-south cooperation to determine good practices in crime prevention in the developing world, concerning Southern Africa and the Caribbean.

47. The Office has also embarked on pursuing a pilot, cross-regional project concept for crime prevention for sustainable livelihood in three cities in developing countries, subject to the availability of extrabudgetary funds. The Office, in cooperation with the Alliance of Non-Governmental Organizations on Crime Prevention and Criminal Justice, will organize the regional crime prevention forum for non-governmental organizations from Central and Eastern Europe in Vienna on 27 and 28 October 2005, which will address the issue of urban crime prevention in European cities in countries with economies in transition.

(e) Post-conflict reconstruction and the rule of law

48. The Office has contributed its expertise in a number of peacekeeping missions and reconstruction efforts, with the aim of counteracting links between the breakdown of criminal justice systems, organized crime and the presence of corrupt practices, as well as possible links to terrorist activities in post-conflict situations. The Office has thereby supported the development of crime and related drug control strategies; provided legal assistance, training and capacity-building; and assisted in policy development, justice reform and the prevention of HIV/AIDS in Afghanistan, Iraq, the Southern Caucasus, the Andean region, Central Asia, West Africa and the Middle East.

49. The Office, which is part of the Rule of Law Focal Points Network established at United Nations Headquarters, contributed to the report of the Secretary-General to the Security Council on the rule of law and transitional justice in conflict and post-conflict societies (S/2004/616) and provides ongoing inputs into the process initiated by the High-level Panel on Threats, Challenges and Change and the subsequent report of the Secretary-General entitled "In larger freedom: towards development, security and human rights for all".

F. Enhancing international and regional judicial cooperation

50. The Office broadened its assistance to States in implementing the mutual legal assistance and extradition provisions of the international drug, crime and terrorism

conventions and protocols. In cooperation with the European Union's border management and drug action programmes, the Office organized workshops in all States of the Commonwealth of Independent States and the Caucasuses on international cooperation in extradition casework and on international confiscation of the proceeds of crime. Similar support was provided to 15 South and Central American countries, to Gulf States and the Organization of the Islamic Conference, as well as to four East Asian countries. The manuals, model laws and model treaties on extradition and mutual legal assistance have been or are being fully revised and updated. The updating and pilot testing of the software for the preparation of mutual legal assistance requests, developed by the Office and available in five languages, has continued in order to enable global distribution to national central authorities during 2005.

VII. Other major initiatives

A. United Nations standards and norms in crime prevention and criminal justice

51. On 15 and 16 March 2005, the Office convened an Intergovernmental Expert Group Meeting to Develop Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime, pursuant to Economic and Social Council resolution 2004/27 of 21 July 2004.[12] At its fourteenth session, the Commission recommended for adoption by the Council a draft resolution entitled "Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime",[13] by which the Council would adopt the guidelines annexed to that resolution. The guidelines provide a framework to assist Member States in enhancing the protection of child victims and witnesses of crime.

B. Research and dissemination of information

52. Efforts continued to improve the visibility of the United Nations Crime Prevention and Criminal Justice Programme, including the ongoing maintenance and upgrading of the website of the United Nations Office on Drugs and Crime (http://www.unodc.org) and the production of publications and materials on technical assistance projects and best practices. The most recent issue of *Forum on Crime and Society*, which was devoted to crime trends, can be accessed on the Internet at www.unodc.org/unodc/en/crime_cicp_publications_forum.html. Updated statistical data on crime and criminal justice for the period 2001-2002, collected from over 65 Member States through the Eighth United Nations Survey of Crime Trends and Operations of Criminal Justice Systems, are accessed by a large number of users at http://www.unodc.org/unodc/crime_cicp_survey_eighth.html.

53. Pursuant to Economic and Social Council resolution 2004/32 of 21 July 2004, the Office published in June 2005 a study on *Crime and Development in Africa*, presenting a comprehensive picture of insecurity in Africa and examining how the international community could contribute to a safer Africa. The study covers domestic and global criminal activities, ranging from money-laundering to corruption, trafficking in human beings and drugs, illicit manufacturing and

trafficking in firearms, as well as their connection with the creation and maintenance of child militias in Africa. Pursuant to General Assembly resolution 59/159, draft materials for the preparation of an updated publication on world crime trends have been assembled in cooperation with the United Nations Interregional Crime and Justice Research Institute and circulated at the Eleventh Crime Congress and to the Commission on Crime Prevention and Criminal Justice at its fourteenth session.

54. The multi-source database of the Office on trends in human trafficking provides a great deal of information allowing analysis of global trafficking trends. Training manuals on combating trafficking for criminal justice practitioners were finalized for Benin, Nigeria, Togo and Viet Nam. Manuals are in preparation for Colombia and the Economic Community of West African States, as is a toolkit on good practices. Non-governmental cooperation partners have been identified worldwide in 45 countries for the broadcasting of announcements on human trafficking.

55. The Office should soon complete the preparation of a handbook on alternatives to imprisonment and another on restorative justice. A good practice guide for Member States on countering kidnapping and a training manual for law enforcement officials on effective responses to violence against women are under preparation.

56. A revised and updated version of the *Compendium of United Nations Standards and Norms in Crime Prevention and Criminal Justice* will be finalized in 2005.

C. Coordination and cooperation

57. The Office continued to coordinate the activities of the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network. During the fourteenth session of the Commission on Crime Prevention and Criminal Justice, the network organized a workshop on the theme "Working modalities and substantive results: report on the Eleventh Congress workshops and ancillary meetings", which was coordinated by the United Nations Interregional Crime and Justice Research Institute. In addition, the annual coordination meeting of the network was held in December 2004 in Courmayeur, Italy, on the occasion of the International Conference on Organized Crime and Humanitarian Disasters. The meeting was organized jointly with the International Scientific and Professional Advisory Council. Close bilateral contacts were maintained with the members of the Programme network, most notably with the United Nations Interregional Crime and Justice Research Institute, which is involved in the implementation of several projects under the global programmes of the Office. The institutes were actively involved in the preparation and organization of the workshops for the Eleventh Crime Congress.

58. The Office participates in the United Nations System Chief Executives Board. At its first regular session of 2004, the Board endorsed a series of measures aimed at forging a strategic, system-wide response to transnational crime (see E/2005/63, chap. V). The majority of measures, identified in a note presented to the Board entitled "Organized crime and corruption are threats to security and development: the role of the United Nations", have now been implemented. The measures

included incorporating the issues of crime and corruption within the United Nations Development Assistance Frameworks at the country level. Detailed information was collected from within and outside the United Nations system on (a) links between ongoing conflicts and organized crime; (b) collaborative interventions to counter trafficking in human beings and smuggling of migrants, including responding to the vulnerability of trafficking victims to HIV/AIDS; (c) the involvement of organized crime in the trafficking of a variety of illicit commodities and the responses of the United Nations system; and (d) a global assessment of the extent of HIV/AIDS in prisons. Recommendations for future work by the United Nations system have been identified on each of these issues. In addition, a longer-term plan for joint action to curb transnational crime has been formulated and is being implemented.

59. The Office also participates in the work of the Executive Committee on Economic and Social Affairs, the Executive Committee on Peace and Security and the United Nations Development Group, continuing to seek effective coordination of its activities with others concerned. The Office is a member of the Millennium Project Task Force on Poverty and Economic Development, which addresses cross-cutting issues such as human rights, good governance, drugs and crime. The Office is also part of the United Nations Rule of Law Focal Points Network, which coordinates communication and activities of 11 departments and agencies involved in judicial, corrections and other rule of law initiatives in peacekeeping and post-conflict situations. The Office has also established close cooperation with UNIDO on corruption-related research and technical cooperation and cooperates with the United Nations Human Settlements Programme on urban crime trends and with the Economic Commission for Europe on the development of statistical tools. The Office continues to coordinate its activities relating to human rights in the administration of justice, including juvenile justice, with the Office of the United Nations High Commissioner for Human Rights. Within the context of its Iraq Programme, the Office works closely with the United Nations Development Group Iraq Trust Fund in order to ensure coordination in the implementation of project activities.

VIII. Mobilization of resources

60. The donor base of the United Nations Crime Prevention and Criminal Justice Programme has continued to grow and broaden. Contributions and pledges to the United Nations Crime Prevention and Criminal Justice Fund from January 2004 to June 2005 totalled $27,825,478, an increase of $13,626,894 or 104 per cent over the same period for the previous year (see A/59/205 and the annex to the present report). Of those contributions, $26,174,054 (or more than 94 per cent) were earmarked for specific activities. While the increase in the contributions to fund expanded mandates and related technical cooperation constitutes a positive trend, a proportional growth in general-purpose funds is essential in order to provide the basic infrastructure to support the implementation of technical cooperation activities and to allow a greater programme flexibility to respond to growing requests for technical assistance from countries in need.

61. Recognizing the importance of the Fund to respond to the needs of Member States, the General Assembly, most recently in its resolution 59/159, reiterated its call to all States to support the operational activities of the Programme through

voluntary contributions to the Fund. Moreover, in its resolution 55/25 of 15 November 2000, the Assembly decided that, until the Conference of the Parties to the United Nations Convention against Transnational Organized Crime decided otherwise, the account referred to in article 30 of the Convention would be operated within the United Nations Crime Prevention and Criminal Justice Fund. In its resolution 58/4 of 31 October 2003, the Assembly decided that, until the Conference of the States Parties to the United Nations Convention against Corruption decided otherwise, the account referred to in article 62 of the Convention would also be operated within the United Nations Crime Prevention and Criminal Justice Fund.

IX. Action taken by Member States

62. Pursuant to General Assembly resolutions 59/155, 59/157 and 59/159, all of 20 December 2004, various countries provided relevant information,[14] including on the status of ratification of the Organized Crime Convention,[15] the Protocols thereto[16] and the Convention against Corruption.[17] A number of countries reported on their efforts and progress in the fight against transnational organized crime and corruption, including the adoption of new legislation or the revision of existing legislation in line with the provisions of those legal instruments.[18] The establishment of specialized bodies and offices to deal with transnational organized crime[19] and corruption[20] was reported by various States; while several countries reported on national action plans, strategies and programmes that had been initiated to build or to strengthen national capacity to respond to the threat of transnational organized crime,[21] including trafficking in human beings and smuggling of migrants, and corruption.[22] Several States reported on bilateral and multilateral agreements that had been concluded in order to facilitate international cooperation between law-enforcement agencies on extradition and mutual legal assistance.[23] Some States provided information on actions taken in order to raise awareness and provide technical assistance to other countries regarding the Organized Crime Convention and the Protocols thereto[24] as well as the Convention against Corruption.[25] The importance of technical assistance provided to countries for the ratification and implementation of the Conventions and the Protocols was acknowledged in various replies.

X. Conclusions and recommendations

63. The sixtieth anniversary of the United Nations presents an opportunity for Member States to translate the international calls for a stronger and strengthened partnership against terrorism, drugs, organized crime and corruption into further measures to address the needs of States in the field of crime prevention and criminal justice. This would include, inter alia, consideration of the resources available to the United Nations Crime Prevention and Criminal Justice Programme to deal effectively with the expanding mandates to be implemented, especially those pertaining to the Organized Crime Convention and the Protocols thereto, the Convention against Corruption, which is likely to enter into force by the end of 2005, the promotion of the ratification of the universal conventions and protocols against terrorism, as well as issues related to the promotion and implementation of standards and norms in crime prevention and criminal justice.

64. In view of the above, the Assembly may wish to consider and decide:

(a) To urge Member States to ratify or accede to the universal conventions and protocols against international terrorism, the Organized Crime Convention and its Protocols and the Convention against Corruption, so as to ensure their full implementation, including by drawing on, where appropriate, the services available for that purpose in the United Nations Office on Drugs and Crime;

(b) To reaffirm the high priority of the United Nations Crime Prevention and Criminal Justice Programme with respect to the enhancement of technical cooperation and the provision of technical advisory services to Member States, upon request, to assist them in meeting the challenges posed by transnational organized crime, trafficking in persons, corruption, international terrorism and criminal justice reform, including in the context of post-conflict reconstruction;

(c) To invite Member States, intergovernmental and non-governmental organizations, international financial institutions and the private sector to make or increase significantly their contributions to the United Nations Crime Prevention and Criminal Justice Fund with a view to enabling the Programme to respond to the increasing demands for technical assistance and to further expand its impact and outreach, including at the field level, as well as to encourage more active participation and involvement of the entire United Nations system in its activities.

Notes

[1] See *Official Records of the Economic and Social Council, 2005, Supplement No. 10* (E/2005/30).

[2] A/CONF.203/18, chap. I, resolution 1.

[3] *Official Records of the Economic and Social Council, 2005, Supplement No. 10* (E/2005/30), chap. I, sect. A, draft resolution II.

[4] CTOC/COP/2004/6 and Corr.1.

[5] *Official Records of the Economic and Social Council, 2005, Supplement No. 10* (E/2005/30), chap. I, sect. A, draft resolutions I, III and IV.

[6] Ibid., draft resolution V.

[7] See General Assembly resolutions 56/123, 56/261, 57/173, 58/81, 58/136, 58/140, 59/153 and 59/159, Economic and Social Council resolution 2002/19 and Security Council resolution 1535 (2004).

[8] *Official Records of the Economic and Social Council, 2005, Supplement No. 10* (E/2005/30), chap. I, sect. A, draft resolution VI.

[9] Ibid., sect. B, draft resolution II.

[10] India, Indonesia, Mexico, Pakistan, the Republic of Moldova, South Africa, Thailand, Uganda and Ukraine.

[11] *Official Records of the Economic and Social Council, 2005, Supplement No. 10* (E/2005/30), chap. I, sect. B, draft resolution III.

[12] In its resolution 2004/27, the Economic and Social Council requested the intergovernmental expert group, within the context of its meeting, to take into consideration any relevant material, including the guidelines on justice for child victims and witnesses of crime drawn up by the

International Bureau for Children's Rights, which were annexed to the resolution. The Council invited the Eleventh Crime Congress, under the substantive item entitled "Making standards work: fifty years of standard-setting in crime prevention and criminal justice", during the Workshop on Enhancing Criminal Justice Reform, including Restorative Justice, and during the ancillary meetings of non-governmental and professional organizations, to consider and discuss the issue of guidelines on justice for child victims and witnesses of crime, and invited the intergovernmental expert group to take into account the results of those discussions in carrying out its work. For the deliberations and recommendations of the Congress on these topics, see A/CONF.203/18, chap. V, sect. E and chap. VI, sects. B and C.

[13] *Official Records of the Economic and Social Council, 2005, Supplement No. 10* (E/2005/30), chap. I, sect. B, draft resolution I.

[14] Australia, Austria, Costa Rica, the Czech Republic, Egypt, El Salvador, Greece, Hungary, Kuwait, Japan, Latvia, Malta, Mauritius, Mexico, Morocco, the Netherlands, Pakistan, Peru, Portugal, Qatar, Serbia and Montenegro, Slovenia, Spain and Turkey.

[15] Austria, El Salvador, Latvia, Morocco, the Netherlands, Portugal, Serbia and Montenegro and Turkey had ratified the Convention.

[16] Latvia had ratified the three Protocols to the Organized Crime Convention, while Portugal had ratified the Trafficking in Persons Protocol and the Migrants Protocol and was in the process of ratifying the Firearms Protocol. Australia reported on national efforts to ratify the Firearms Protocol. Austria reported that the ratification of the Trafficking in Persons Protocol was currently taking place. The Netherlands had ratified the Firearms Protocol and was ratifying the other two Protocols. The Czech Republic, Hungary and Morocco indicated that the optional Protocols were currently under discussion and examination for the purpose of ratification.

[17] El Salvador, Hungary, Mauritius and Mexico had ratified the Convention, while Australia, Austria, the Czech Republic, Latvia, Malta, Morocco, the Netherlands, Pakistan, Portugal, Qatar, Slovenia and Spain were in the process of ratifying it.

[18] Australia, the Czech Republic, Greece, Hungary, Latvia, Mauritius, Pakistan, Slovenia and Turkey.

[19] Latvia, Morocco and Turkey.

[20] Pakistan and Slovenia.

[21] Greece and Hungary.

[22] The Czech Republic, Hungary, Latvia, Mauritius, Pakistan and Slovenia.

[23] Australia, El Salvador, Hungary, the Netherlands, Slovenia and Turkey.

[24] Australia and Japan.

[25] The Czech Republic, Pakistan and Slovenia.

Annex

Contributions and pledges to the United Nations Crime Prevention and Criminal Justice Fund

January 2004-June 2005
(United States dollars)

Country entity	*Total amount pledged*
Australia	579 675
Austria	150 061
Belgium	409 881
Brazil	947 720
Canada	1 114 884
Chile	1 000
Croatia	1 000
Czech Republic	117 449
Denmark	546 701
France	586 372
Germany	928 975
Greece	135 000
Hungary	69 477
India	6 000
Italy	10 800 579
Madagascar	4 806
Morocco	2 000
Norway	972 712
Qatar	5 000
Republic of Korea	20 000
Sweden	2 610 656
Switzerland	1 241 963
Tunisia	2 452
Turkey	100 000
United Kingdom of Great Britain and Northern Ireland	3 070 018
United States of America	3 372 011
Venezuela	4 084
United Nations Development Programme	25 000
Total	**27 825 478**